UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/CONF.151/PC/82
22 July 1991

Original: ENGLISH

PREPARATORY COMMITTEE FOR THE UNITED NATIONS
CONFERENCE ON ENVIRONMENT AND DEVELOPMENT
Third session
Geneva, 12 August-4 September 1991
Plenary
Item 2 (b) of the provisional agenda *

PREPARATIONS FOR THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT ON THE BASIS OF GENERAL ASSEMBLY RESOLUTION 44/228 AND TAKING INTO ACCOUNT OTHER RELEVANT GENERAL ASSEMBLY RESOLUTIONS:

RECENT ACTIONS OF INTERGOVERNMENTAL AND OTHER BODIES OF RELEVANCE TO THE PREPARATORY PROCESS

Note by the Secretariat

Decisions of the Governing Council of the United Nations Environment Programme pertaining to the Preparatory Committee for the United Nations Conference on Environment and Development and to the Conference itself

1. The Executive Director of UNEP, in a letter dated 28 June 1991, informed the Secretary-General of UNCED, and through him, the Preparatory Committee, of the results of the recently concluded sixteenth regular session of the UNEP Governing Council, held at Nairobi from 20 to 31 May 1991.

2. No less than 16 of the 47 decisions of the Governing Council are of direct relevance to the Conference and to the Preparatory Committee, and are described briefly below. The full text of the decisions is being made available by UNEP in an informal document entitled "Decisions adopted by the Governing Council at its sixteenth session".

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* A/CONF.151/PC/39.

Annex

INFORMATION REGARDING SELECTED DECISIONS OF THE GOVERNING COUNCIL OF THE UNITED NATIONS ENVIRONMENT PROGRAMME AT ITS SIXTEENTH SESSION

Decision 16/1 - Strengthening the role of the United Nations Environment Programme

By paragraph 3 of this decision, the Governing Council invited the Preparatory Committee, when considering institutional aspects of environmental activities in the United Nations system, to take fully into account the views and decisions of the Governing Council and the resolutions of the General Assembly regarding the strengthening of the United Nations Environment Programme. (The relevant paragraphs of the UNEP Governing Council decisions and the General Assembly resolutions appear as an appendix to the present document.)

Decision 16/2 - Integration of environment and development

By paragraph 3 of this decision the Council suggested that the Preparatory Committee consider the feasibility of linking existing environmental data bases with any new systems for collection of development data, generated by the Conference process to help countries to take account of environmental concerns in their development planning.

By paragraph 4 the Council recommended that the Preparatory Committee elaborate a strategy to assist developing countries to access and retrieve such data.

Lastly, in paragraph 6 of the decision, the Council requested that this decision be brought to the attention of the Preparatory Committee.

Decision 16/3 - Special session of the Governing Council in 1992

Although in the operative paragraphs of this decision the Council made no specific mention of the United Nations Conference on Environment and Development, in the third preambular paragraph of the decision, the Council took into account General Assembly resolution 44/228 of 22 December 1989 by which it was decided to convene the United Nations Conference on Environment and Development. With this thought in mind, the Council decided to hold a three-day special session from 3 to 5 February 1992 in order to review and comment upon three major reports being submitted to the United Nations Conference on Environment and Development, namely, a synthesis state-of-the-environment report covering the 20 years since Stockholm; a comprehensive report on desertification including financing of the Plan of Action to Combat Desertification; and the Secretary-General's consolidated report on further substantive follow-up to General Assembly resolutions 42/186 and 42/187.

Decision 16/7 - Volunteers for the environment

In paragraph 3 of this decision, the Council requested that this decision be transmitted to the Preparatory Committee for the United Nations Conference on Environment and Development at its third session.

Decision 16/8 - World environment academy

On the possible establishment of a world environment academy, the Council agreed that this subject should be considered within the context of discussion on legal and institutional issues which is taking place in the Preparatory Committee and requested that this matter be brought to the attention of the Committee.

Decision 16/9 - United Nations centre for urgent environmental assistance

By paragraph 1 of this decision the Council requested that this decision be transmitted to the Preparatory Committee at its third session, for its consideration in the context of the preparatory process for the Conference.

Decision 16/15C - The 1992 and 1993 state-of-the-environment reports

By paragraph 2 of this decision, the Council requested the Executive Director of UNEP to expedite the preparations for the comprehensive state-of-the-environment report covering the 20 years since the 1972 United Nations Conference on the Human Environment, for the report to be available at the time of the United Nations Conference on Environment and Development in 1992. The Executive Director of UNEP replied, for the record, that he would do all in his power to give effect to paragraph 2 of the decision, but there are limitations over which UNEP has no control.

Decision 16/18 - Enhancing United Nations coordination of environmental activities

In paragraph 2 of this decision, the Council recommended that the Preparatory Committee give priority consideration to ways and means of bringing about more effective arrangements for comprehensive coordination and direction of environmental activities in the United Nations system, at inter-agency level, as well as at intergovernmental level, bearing in mind the experience gained from the institutional arrangements contained in resolution 2997 (XXVII), taking into account, as appropriate, any other relevant considerations regarding United Nations system-wide or related international coordination.

Decision 16/19 - Reports of the Administrative Committee on Coordination

In paragraph 4 of this decision, the Council expressed its support for the views of the Administrative Committee on Coordination (as contained in document UNEP/GC.16/12, para. 31) regarding the United Nations Conference on Environment and Development, in particular that the Preparatory Committee for the Conference should give greater attention to the issue of the cumulative interaction between poverty, health and population, on the one hand, and environmental degradation, on the other.

Decision 16/20 - Progress report of the Secretary-General on the implementation of General Assembly resolution 44/227

By paragraph 2 of this decision, the Council transmitted the progress report of the Secretary-General to the General Assembly at its forty-sixth session (A/46/138), through the Economic and Social Council, and to the Preparatory Committee for the United Nations Conference on Environment and Development at its third session.

Decision 16/22A - Implementation of the Pl · of Action to Combat Desertification

In paragraph 8 of this decision, the Governing Council requested the Executive Director of UNEP to intensify efforts to contribute fully to the preparations for the United Nations Conference on Environment and Development in the area of implementing the Plan of Action to Combat Desertification and to report on these efforts to the Preparatory Committee for the Conference through, inter alia, the drafting of a consolidated report to be made available to the Committee at its fourth session and providing a progress report to the Preparatory Committee at its third session, since the Committee has decided to have a full discussion of the issue of desertification at that session. (The progress report to the forthcoming third session of the Preparatory Committee appears in A/CONF.151/PC/62, Annex I.)

Decision 16/22D - External evaluation of the Plan of Action to Combat Desertification

In accordance with Governing Council decision 15/23A of 25 May 1989, the Executive Director of UNEP had an external evaluation of the Plan of Action to Combat Desertification carried out in 1990 and submitted a report thereon to the Council at its sixteenth session. By paragraph 3 of its decision 16/22D, the Council requested the Executive Director of UNEP to forward the approved findings and recommendations of the evaluation report along with the present decision to the Preparatory Committee at its third substantive session, in August 1991. (The evaluation report (UNEP/GC.16/16/Add.1) will be made available to the Preparatory Committee.)

Decision 16/22E - Implementation of the General Assembly resolution 44/172 A

In paragraph 1 of this decision, the Council requested the Executive Director of UNEP to expedite the comprehensive implementation of General Assembly resolution 44/172A of 19 December 1989, in which the Assembly requested the Secretary-General of the United Nations, in cooperation with the Executive Director, to prepare, inter alia, a report containing financial and technical expert studies on ways and means to combat effectively desertification, and a general evaluation of the progress achieved in implementing the Plan of Action to Combat Desertification, together with contributions from the Consultative Group for Desertification Control, for presentation to the Preparatory Committee at its fourth session, and giving a progress report to the Preparatory Committee at its third session, since the Committee has decided to have a full discussion of the issue of desertification at that time. (This progress report appears in A/CONF.151/PC/62, Annex I).

Decision 16/26A - Marine pollution from land-based sources

Five paragraphs of this decision are of special significance to the Preparatory Committee. These paragraphs read as follows:

"1. Requests the Executive Director to continue the preparation of elements for draft strategy options and action to reduce the degradation of the marine environment from land-based activities, in close cooperation with the secretariat of the United Nations Conference on Environment and Development, other United Nations organizations and taking fully into account the experience gained by the regional seas programmes of the United Nations Environment Programme and by other regional cooperative programmes on efforts to reduce the degradation of the marine environment from land-based sources of pollution and activities in coastal areas as well as the outcome of the Halifax meeting;

"2. Decides to invite the Preparatory Committee for the United Nations Conference on Environment and Development at its third session to give policy guidance to a meeting of Government-designated experts to be convened to formulate a draft strategy, including a targeted and costed programme of action for reduction of the degradation of the marine environment from land-based sources of pollution and activities in coastal areas;

"3. Authorizes the Executive Director to convene, subject to the availability of resources, such a meeting and to initiate preparations without delay;

"4. Further authorizes the Executive Director to complete a targeted and costed action programme for the Mediterranean as an input to the strategy and as an example for the preparation of an international study, in view of the comprehensive data which already exist for that area and the very limited time available;

"5. Further requests the Executive Director to report on the outcome of the intergovernmental meeting of Government-designated experts, through the Secretary-General of the United Nations Conference on Environment and Development, to the Preparatory Committee at its fourth session."

Special attention should be drawn to the invitation extended by the Council to the Preparatory Committee at its third session to give policy guidance to a meeting of Government-designated experts.

Decision 16/26B - Strategies for the protection and development of the oceans and coastal areas

By paragraph 3 of this decision the Executive Director of UNEP was requested to arrange for the completed report of strategies for the protection and development of the oceans and coastal areas to be submitted, inter alia, to the Preparatory Committee at its fourth session.

Decision 16/30 - Hazardous waste

By paragraph 6 of this decision UNEP was requested to report to the Preparatory Committee at its third session on progress made with regard to an ad hoc meeting of Government-designated experts that UNEP is to convene to consider the draft elements and a possible international strategy and action programme, including technical guidelines, for environmentally sound management of hazardous waste. The progress report will be made available to the Preparatory Committee at its fourth session, as requested by the UNEP Governing Council.

Decision 16/34 - International environmental technology centre

By paragraph 7 of this decision the Council requested the Executive Director of UNEP to transmit this decision to the Preparatory Committee at its third session, for consideration in the context of the preparatory process for the Conference.

Decision 16/35, II - Toxic chemicals

Having taken note of paragraph 3 of decision 2/17 of the Preparatory Committee, the Council requested the Executive Director of UNEP, in paragraph 1 of the decision, to prepare, in cooperation with the secretariat of the United Nations Conference on Environment and Development, the World Health Organization, the International Labour Organisation, the Organisation for Economic Cooperation and Development, the European Economic Community and other relevant organizations, draft proposals for an intergovernmental mechanism for risk assessment and management of chemicals. In paragraph 2 of the decision, UNEP was requested to convene, subject to the availability of resources, in consultation with the executive heads of the International Labour Organisation and the World Health Organization, within the context of the collaboration under the International Programme on Chemical Safety, and in cooperation with the Organisation for Cooperation and Development, the European Economic Community, the Secretary-General of the United Nations Conference on Environment and Development and other relevant international organizations, a technical meeting of government experts to consider the draft proposals and, in consultation with the executive heads of the International Labour Organisation and the World Health Organization and through the appropriate channels, to submit to the Preparatory Committee at its fourth session a report on the outcome of the meeting.

Decision 16/39 - Freshwater resources

In this decision the Governing Council, taking note of paragraphs 3 to 5 of decision 2/20 of the Preparatory Committee, noted with appreciation the contribution being made by UNEP to the preparations for the Dublin Conference and requested UNEP to continue to give full support to the preparations to the Dublin Conference, including financial contributions within available resources.

Decision 16/43 - International conventions and protocols in the field of the environment

By paragraph 3 of this decision, the Executive Director of UNEP was requested to make the report and the Register of International Treaties and Other Agreements in the Field of the Environment available to the Preparatory Committee at its third session. A copy of the report and of the Register have already been transmitted to the UNCED secretariat.

By paragraph 4, the Executive Director of UNEP was called upon, in furtherance of the objectives of the Preparatory Committee, to cooperate fully in reviewing the effectiveness of existing international conventions and protocols in the field of the environment.

Appendix

STRENGTHENING THE ROLE OF UNEP

General Assembly resolutions

General Assembly resolution 2997 (XXVII) of 15 December 1972 on "Institutional and financial arrangements for international environmental cooperation"

Under Part I, paragraph 2 of this resolution the General Assembly assigned to the UNEP Governing Council particular functions and responsibilities including the following:

> "(a) To promote international cooperation in the field of the environment and to recommend, as appropriate, policies to this end;
>
> "(b) To provide general policy guidance for the direction and coordination of environmental programmes within the United Nations system;
>
> "(d) To keep under review the world environmental situation in order to ensure that emerging environmental problems of wide international significance receive appropriate and adequate consideration by Governments;
>
> "(e) To promote the contribution of the relevant international scientific and other professional communities to the acquisition, assessment and exchange of environmental knowledge and information and, as appropriate, to the technical aspects of the formulation and implementation of environmental programmes within the United Nations system;
>
> "(f) To maintain under continuing review the impact of national and international environmental policies and measures on developing countries, as well as the problem of additional costs that may be incurred by developing countries in the implementation of environmental programmes and projects, and to ensure that such programmes and projects shall be compatible with the development plans and priorities of those countries."

General Assembly resolution 42/184 of 11 December 1987 on "International cooperation in the field of the environment"

Paragraph 18 of this resolution reads as follows:

> "Recalls the essential catalytic and coordinating role of the United Nations Environment Programme within the United Nations system concerning the environment, requests that that role be further developed in the light, particularly, of Governing Council decisions 14/13 and 14/14, and calls upon the Designated Officials for Environmental Matters to improve their effectiveness, bearing in mind those decisions."

General Assembly resolution 42/186 of 11 December 1987 on "Environmental Perspective to the Year 2000 and Beyond"

Paragraph 8 of this resolution reads as follows:

"Stresses the essential role of the United Nations Environment Programme within the United Nations system in catalysing environmentally sound and sustainable development, and agrees with the Governing Council that this role should be strengthened and that the resources of the Environment Fund should be substantially increased with greater participation."

General Assembly resolution 44/229 of 22 December 1989 on "International cooperation in the field of the environment"

Paragraph 2 of the resolution reads as follows:

"Reaffirms the mandate of the Programme as defined in General Assembly resolution 2997 (XXVII) of 15 December 1972, and supports further strengthening of the role of the Programme as the central catalysing, coordinating and stimulating body in the field of the environment within the United Nations system."

UNEP Governing Council decisions

GC SSC resolution I of 18 May 1982 on "The environment in 1982: retrospect and prospect"

Section 6 of this resolution deals with "Institutional arrangements for the United Nations Environment Programme" and the relevant paragraphs under that section read as follows:

"1. Considers that the institutional arrangements for international cooperation in the field of the environment - the Governing Council, the secretariat, the coordination process within the United Nations system through the Administrative Committee on Coordination and the Environment Fund - are, generally speaking, adequate and appropriate;

"3. Considers that the catalytic, coordinating and stimulating role of the United Nations Environment Programme remains appropriate and will require the continuing attention of the Governing Council in the light of section IV, paragraph 1 (c), bearing in mind the responsibilities of other bodies of the United Nations system;

"4. Invites the Governing Council, at its regular sessions, to:

(a) Give overall policy guidance on global, contemporary and emerging issues;

(b) Set priorities for the implementation of the programmes approved by it and assure that funds and/or other resources are made available in accordance with these priorities;

(c) Address itself more to governing bodies of other organizations of the United Nations system dealing with various environmental issues."

GC decision SS.I/1 of 18 March 1988 on "Programme policy and implementation"

Paragraph 1 of this decision reads as follows:

"1. Resolves to exercise fully the role expected of it:

(a) With respect to environmental activities within the United Nations system, as set forth by the General Assembly in resolution 2997 (XXVII) and by the Governing Council in section VI, paragraph 3 of resolution I of 18 May 1982, adopted at its session of a special character;

(b) With respect to the follow-up of the Environmental Perspective to the Year 2000 and Beyond, approved by the General Assembly in its resolution 42/186;

(c) With respect to the report of the World Commission on Environment and Development, welcomed by the General Assembly in its resolution 42/187;

(d) With respect to the system-wide medium-term environment programme for the period 1990-1995, in accordance with section I, paragraph 2 (b), of General Assembly resolution 2997 (XXVII)."

GC decision 15/1, of 25 May 1989 on "Strengthening the role and effectiveness of the United Nations Environment Programme"

Part I of this decision concerns "The catalytic and coordination role of the United Nations Environment Programme". The two paragraphs of Part I read as follows:

"1. Reaffirms the essential role of the United Nations Environment Programme as the central catalysing, coordinating and stimulating body in the field of the environment within the United Nations system;

"2. Stresses the urgent need for further developing and strengthening the essential role of the United Nations Environment Programme."

Part II of the decision is entitled "The role of the Governing Council". Paragraph 1 of Part II reads as follows:

"1. Stresses the need to make the Governing Council a more effective and efficient mechanism in order that it can, in accordance with section I, paragraph 2, of General Assembly resolution 2997 (XXVII), inter alia:

(a) Promote international cooperation in the field of the environment and recommend policies to this end;

(b) Provide general policy guidance for the direction and coordination of environmental programmes within the United Nations system;

(c) Keep under review the world environmental situation in order to ensure that emerging environmental problems of wide international significance receive appropriate and adequate consideration by Governments;

(d) Promote the contribution of the relevant international scientific and other professional communities to the acquisition, assessment and exchange of environmental knowledge and information;

(e) Maintain under continuing review the impact of national and international environmental policies and measures on developing countries, as well as the problem of additional costs that may be incurred by developing countries in the implementation of environmental programmes and projects."

GC decision SS.II/1 of 3 August 1990 on "Strengthening the role of the United Nations Environment Programme and the Governing Council"

"The Governing Council,

"Recalling General Assembly resolution 2997 (XXVII) of 15 December 1972 on institutional and financial arrangements for international environmental cooperation, by which the United Nations Environment Programme was established,

"Recalling also General Assembly resolution 42/184 of 11 December 1987 on international cooperation in the field of the environment, particularly paragraph 18, in which the Assembly requested that the essential catalytic and coordinating role of the United Nations Environment Programme be further developed,

"Recalling also General Assembly resolution 42/186 of 11 December 1987 on the Environmental Perspective to the Year 2000 and Beyond, in which, inter alia, the Assembly stressed the essential role of the United Nations Environment Programme within the United Nations system in catalysing environmentally sound and sustainable development,

Recalling also its decision SS.I/1 of 18 March 1988 on programme policy and implementation, particularly its paragraph 1, in which the Governing Council resolved to exercise fully the role expected of it,

"Further recalling its decision 15/1 of 25 May 1989 on strengthening the role and effectiveness of the United Nations Environment Programme,

"Recalling also General Assembly resolution 44/228 of 22 December 1989, by which it was decided to convene a United Nations Conference on Environment and Development in 1992,

"Having considered the report of the Executive Director on priority evolving environmental issues a/ and, in particular, section V thereof, on

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a/ UNEP/GCSS.II/ and Corr.1 and 2 and Add.1-4.

strengthening the role of the United Nations Environment Programme and the Governing Council and the proposals of the Executive Director contained therein,

"1. Requests the Executive Director to prepare for submission to the Council at its sixteenth session, in consultation with Governments, including the Committee of Permanent Representatives, a consolidated report on the future role of the United Nations Environment Programme, presenting, inter alia, proposals on:

"(a) Further strengthening of the United Nations Environment Programme, including the role of its Governing Council;

"(b) A possible special session of the Governing Council in 1992;

"(c) Ways and means to further enhance the visibility of the United Nations Environment Programme;

"2. Further requests the Executive Director to prepare for submission to the Council at its sixteenth session a detailed report explaining the basis of his recommendations for setting a substantially increased target for annual contributions to the Environment Fund by the year 1995; b/

"3. Recognizes that as a consequence of the United Nations Conference on Environment and Development, to be held in 1992, further consideration may need to be given to the role of the United Nations Environment Programme."